

12:30 pm

USAOR00222/jd
USAOR00223/jdUNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. *09-174 (GEB)*
:
v. :
:
BRIAN FITZPATRICK, : 21 U.S.C. § 841
a/k/a "Sun," and : 21 U.S.C. § 846
BORN ISLAM RUSH : 18 U.S.C. § 2
:
: I N D I C T M E N T

The Grand Jury in and for the District of New Jersey,
sitting at Trenton, charges:

COUNT ONE

In or about March 2008, in Neptune, in Monmouth County, in
the District of New Jersey and elsewhere, defendants

BRIAN FITZPATRICK, a/k/a "Sun,"
and BORN ISLAM RUSH

did knowingly and intentionally conspire and agree with each
other and with others to distribute and to possess with intent to
distribute 50 grams or more of cocaine base, that is "crack"
cocaine, a Schedule II narcotic drug controlled substance,
contrary to Title 21, United States Code, Sections 841(a)(1) and
(b)(1)(A).

In violation of Title 21, United States Code, Section
846.

COUNT TWO

On or about February 19, 2008, in Freehold, in Monmouth County, in the District of New Jersey and elsewhere, defendant

BRIAN FITZPATRICK, a/k/a "Sun,"

did knowingly and intentionally distribute and possess with intent to distribute 5 grams or more of a mixture and substance containing a detectable amount of cocaine base, that is "crack" cocaine, a Schedule II narcotic drug controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT THREE

On or about March 19, 2008, in Neptune, in Monmouth County, in the District of New Jersey and elsewhere, defendants

BRIAN FITZPATRICK, a/k/a "Sun,"
and BORN ISLAM RUSH

did knowingly and intentionally distribute and possess with intent to distribute 5 grams or more of a mixture and substance containing a detectable amount of cocaine base, that is "crack" cocaine, a Schedule II narcotic drug controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT FOUR


On or about March 28, 2008, in Neptune, in Monmouth County,
in the District of New Jersey and elsewhere, defendants

BRIAN FITZPATRICK, a/k/a "Sun,"
and BORN ISLAM RUSH

did knowingly and intentionally distribute and possess with
intent to distribute 5 grams or more of a mixture and substance
containing a detectable amount of cocaine base, that is "crack"
cocaine, a Schedule II narcotic drug controlled substance.

In violation of Title 21, United States Code, Sections
841(a)(1) & (b)(1)(B), and Title 18, United States Code, Section
2.

A TRUE BILL


RALPH J. MARRA, JR.
Acting United States Attorney

CASE NUMBER: _____

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

BRIAN FITZPATRICK
aka "Sun", and
BORN ISLAM RUSH

INDICTMENT FOR

21 U.S.C. § 841
21 U.S.C. § 842
18 U.S.C. § 2

A True Bill,

Foreperson

RALPH J. MARRA, JR.
ACTING U.S. ATTORNEY
Newark, New Jersey

JENNIFER L. DAVENPORT
Assistant U.S. Attorney
402 East State Street, Room 430
Trenton, NJ 08608
(609) 989-2190